

Message Text

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ACTION IO-10

INFO OCT-01 EUR-12 ISO-00 ACDA-05 CIAE-00 INR-07 L-02

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FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC 5830

INFO AEC GERMANTOWN

AMEMBASSY BONN

USMISSION BERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

LIMITED OFFICIAL USE IAEA VIENNA 4061

EO 11652: NA

TAGS: PFOR, WB, US, UK, FR, UN, PO, CZ, IAEA, GW

SUBJECT: REPLIES TO PROTESTS RELATING TO FRG REPRESENTATION OF
WEST BERLIN

REF: A. STATE 077314; B. IAEA VIENNA A-555, 12/9/74; (NOTAL)

1. GDR PROTEST ON APPLICATION OF IAEA PRIVELEGES AND IMMUN-
ITIES AGREEMENT TO WEST BERLIN WAS DECLARATION IN NOTE VERBALE
FROM GDR TO DIRECTOR GENERAL OF IAEA. GDR NOT VERBALE
TO DIRGEN SPECIFICALLY REQUESTED THAT DECLARATION BE
BROUGHT TO ATTENTION PARTIES TO IAEA AGREEMENT ON P&I. IN
ADDITION TO DECLARATION RE WEST BERLIN, GDR ALSO STATED
RESERVATION RE JURISDICTION OF INTERNATIONAL COURT OF
JUSTICE (ICJ) IN ITS INSTRUMENT OF ACCEPTANCE OF AGREEMENT
ON P&I. DIRGEN THUS SENT HIS CIRCULAR NOTE TO ALL
MEMBERS OF IAEA, QUOTING GDR RESERVATION RE ICJ AND, IN
CASE OF THOSE MEMBERS PARTY TO AGREEMENT ON P&I (AND ONLY
IN THOSE CASES) INCLUDED ADDITIONAL PARA QUOTING GDR
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DECLARATION IN NOTE VERBALE RE WEST BERLIN. SEE SPEC-

IFICALLY DIRGEN'S NOTE TO US SECSTATE TRANSMITTED REPAIR, WHICH ONLY QUOTES GDR RESERVATION RE ICJ. FRANCE SHOULD HAVE RECEIVED SIMILAR NOTE. UK, ON OTHER HAND, AS PARTY TO AGREEMENT ON P&I, DID RECEIVE LONGER VERSION OF DIRGEN'S NOTE, WITH ADDITIONAL PARA QUOTING GDR DECLARATION IN ITS NOTE VERBALE RE WEST BERLIN.

2. ACCORDINGLY, MISSION AGRRES WITH CONCLUSION REFTTEL THAT ONLY UK IN POSITION TO REPLY TO GDR DECLARATION RE WEST BERLIN. PROPOSED TEXT OF REPLY PARA 2 REFTTEL, HOWEVER, DOES NOT APPEAR APPROPRIATE FOR SINGLE NOTE BY UK TO DIRGEN CONVEYING VIEWS ON BEHALF THREE ALLIES. PROPOSED TEXT FRG NOTE PARA 3 REFTTEL APPEARS SIMILARLY INAPPROPRIATE SINCE IT CONTEMPLATES INDIVIDUAL NOTES TO DIRGEN BY EACH OF THREE ALLIES.

3. UK RESREP JACKSON CONCURS IN FOREGOING AND HAS UNDERTAKEN TO MAKE NECESSARY DRAFTING CHANGES FOR FURTHER CONSIDERATION. WILL ADVISE. LEAHY

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